

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**T.D.J., individually and as Parent and  
Natural Guardian of M.D.J., a Minor,**  
*Plaintiff*

v.

**SCHOOL DISTRICT OF PHILADELPHIA,**  
*Defendant*

**Case No. 2:19-cv-02112-JDW**

**ORDER**

**AND NOW**, this 21<sup>st</sup> day of October, 2019, upon consideration of Defendant the School District of Philadelphia's Motion to Dismiss (ECF No. 10), Plaintiff's Response in Opposition (ECF No. 14), the District's Reply (ECF No. 17), and Plaintiff's Sur-Reply (ECF No. 18), and for the reasons set forth in the Court's accompanying Memorandum, the Court **ORDERS** that the District's Motion is **GRANTED IN PART** and **DENIED IN PART**.

The District's Motion is **GRANTED** with respect Plaintiff's claims for violations of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act based on conduct alleged during the 2017-2018 school year. Those claims are **DISMISSED**.

The District's Motion is **DENIED** with respect to its remaining arguments, as set forth in the Court's Memorandum.

**BY THE COURT:**

/s/ Joshua D. Wolson  
JOSHUA D. WOLSON, J.